

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

TRANSCRIPT ORDER

READ INSTRUCTIONS ON PAGE TWO BEFORE COMPLETING

Case Style _____
 Dist. Ct. No. _____ District _____
 Date Notice of Appeal filed _____ Ct. of Appeals No. _____
 Name of Court Reporter/Electronic Rec. _____
 Address of Reporter _____

TO BE COMPLETED BY PARTY ORDERING TRANSCRIPT - DO NOT SUBMIT FORM UNTIL FINANCIAL ARRANGEMENTS HAVE BEEN MADE WITH THE REPORTER. IF THIS COMPLETED FORM IS NOT MAILED TO THE COURT REPORTER AND A COPY FILED WITH THE DISTRICT COURT CLERK WITHIN TEN (10) DAYS AFTER FILING NOTICE OF APPEAL, THE APPEAL WILL BE SUBJECT TO DISMISSAL PURSUANT TO FOURTH CIRCUIT LOCAL RULE 45. ADDITIONAL COPIES OF THIS FORM MUST BE FILED WITH TWO COPIES OF APPELLANT'S DOCKETING STATEMENT WITH THE CLERK OF THE COURT OF APPEALS WITHIN FOURTEEN DAYS OF FILING THE NOTICE OF APPEAL. A SEPARATE TRANSCRIPT ORDER MUST BE COMPLETED FOR EACH REPORTER FROM WHOM A TRANSCRIPT IS REQUESTED.

- A. This constitutes an order of the transcript of the following proceedings [check appropriate box(es) and indicate total number of pages].

PROCEEDING

HEARING DATE(S)

- | | |
|---|-------|
| <input type="checkbox"/> Voir Dire | _____ |
| <input type="checkbox"/> Opening Statement (Plaintiff) | _____ |
| <input type="checkbox"/> Opening Statement (Defendant) | _____ |
| <input type="checkbox"/> Closing Argument (Plaintiff) | _____ |
| <input type="checkbox"/> Closing Argument (Defendant) | _____ |
| <input type="checkbox"/> Opinion of Court | _____ |
| <input type="checkbox"/> Jury Instructions | _____ |
| <input type="checkbox"/> Sentencing | _____ |
| <input type="checkbox"/> Bail Hearing | _____ |
| <input type="checkbox"/> Pre-Trial Proceedings (specify)
_____ | _____ |
| <input type="checkbox"/> Testimony (specify)
_____ | _____ |
| <input type="checkbox"/> Other (specify)
_____ | _____ |

TOTAL ESTIMATED PAGES _____

NOTE: FAILURE TO SPECIFY IN ADEQUATE DETAIL THOSE PROCEEDINGS TO BE TRANSCRIBED IS GROUNDS FOR DISMISSAL OF AN APPEAL.

- B. I certify that I have contacted the court reporter (or coordinator if electronic recording from the District of Maryland) and satisfactory financial arrangements for payment of the transcript have been made.
- Private funds. (Deposit of \$_____ enclosed with court reporter's copy. Check No. _____.)
 - Criminal Justice Act. A CJA Form 24 has been submitted to the district judge. (Attach a photocopy of the CJA 24 to the court of appeals' and reporter's copies. The CJA 24 does not have to be approved prior to submission of a copy.)
 - Government expense (civil case). IFP has been granted and a motion for transcript at government expense has been submitted to the district judge.
 - Advance payment waived by court reporter.
 - Federal Public Defender - no CJA Form 24 necessary.
 - United States appeal - copy of litigation expense form attached, if applicable.

Signature _____ Typed name _____
 Address _____
 Telephone No. _____ Date Mailed to Reporter _____

INSTRUCTIONS TO APPELLANT FOR ORDERING TRANSCRIPT

You have ten days after filing your notice of appeal to order transcript from the court reporter and file a copy of this form with the clerk of the district court. If copies of this form (and CJA Form 24 if applicable) are not attached to the docketing statement filed in the Court of Appeals and served on opposing counsel within 14 days of the Court's docketing notice, the appeal will be subject to dismissal pursuant to Fourth Circuit Local Rule 45. A separate transcript order (and separate CJA Form 24 if applicable) must be completed for each reporter from whom a transcript is requested.

DO NOT SUBMIT THIS FORM UNTIL YOU HAVE MADE SATISFACTORY FINANCIAL ARRANGEMENTS WITH THE COURT REPORTER OR SUBMITTED A CJA FORM 24 TO THE DISTRICT COURT JUDGE.

1. Contact each court reporter involved in reporting the proceedings, obtain an estimate of total pages, and make arrangements for payment. If you are unsure of the reporter(s) involved, contact the district court clerk's office for that information. A separate transcript order (and separate CJA Form 24 if applicable) must be prepared for each court reporter from whom a transcript is requested.
2. If payment is waived by the reporter until completion of the transcript, the appellant must remit full payment within a reasonable period of time upon receipt of the reporter's invoice.
3. If this was an electronic recording from the District of Maryland, contact the district court reporter coordinator for further instructions.
4. Transcripts ordered under the Criminal Justice Act do not include opening and closing statements, voir dire, or jury instructions unless prior special authorization has been received by the appellant. A separate CJA Form 24 must be completed for each court reporter and submitted to the district court judge for approval. In multi-defendant cases involving CJA defendants, only original transcripts should be purchased from the court reporter(s). Requests for copies will be arranged by the district court using commercial printers. Contact the district court reporter coordinator or district court clerk's office for further instructions.
5. Complete the Transcript Order in its entirety.
6. Distribute the Transcript Order as follows:

court reporter	--	transmit original to court reporter within 10 days of filing notice of appeal
district court	--	file copy in district court clerk's office within 10 days of filing notice of appeal
court of appeals	--	attach copy to Docketing Statement filed in Court of Appeals and served on opposing counsel within 14 days of filing notice of appeal. For CJA attorneys, a copy of the CJA Form 24 must also be attached. The CJA Form 24 need not be approved by the district judge before being attached to the Transcript Order submitted to the court reporter and Court of Appeals.

IF THE TRANSCRIPT ORDER IS NOT FILED WITHIN THE TIME PERIODS SET FORTH ABOVE, PROCEDURES WILL BE INITIATED TO DISMISS THE APPEAL FOR FAILURE TO PROSECUTE.

If you have further questions, contact the Clerk's Office, U.S. Court of Appeals (804-916-2700).

TRANSCRIPT INFORMATION

This information sheet is designed to highlight areas that are often missed when transcripts are ordered. Complete information can be found in the instructions that accompany the transcript order form and in the FEDERAL RULES OF APPELLATE PROCEDURE.

- ①** A copy of the transcript order must be filed in the Court of Appeals to have court reporter deadlines set and monitored, including any transcript ordered by government counsel.
- ②** If you are unsure of the court reporter, check the district court docket sheet or contact the district court.
- ③** A separate transcript order must be completed for each court reporter and include dates for each hearing requested.
- ④** In criminal appeals seeking review of application of the sentencing guidelines, a transcript of the sentencing hearing must be ordered.
- ⑤** Court-appointed counsel, Federal Public Defenders excluded, must attach a separate **copy** of a CJA 24 to the transcript order filed for each court reporter. The original of each CJA 24 is filed with the district court.
- ⑥** All counsel, including retained counsel, must complete Section B of the transcript order.
- ⑦** If appellee wishes to obtain a copy of any transcript which has been ordered by appellant, the copy must be ordered directly from the court reporter.
- ⑧** If appellee finds a transcript of other parts of the proceedings to be necessary, the appellee must file and serve a designation of those additional parts on appellant within 10 days after service of the transcript order. If appellant has not ordered the additional parts within 10 days and notified the appellee, appellee may within 10 days either order the parts or move in the district court for an order that requires appellant to do so.
- ⑨** In multi-defendant cases involving CJA defendants, no more than one original transcript should be purchased from the court reporter on behalf of CJA defendants. One of the appointed counsel or the district court should arrange for the duplication, at commercially competitive rates, of enough copies of the transcript(s) for each of the CJA defendants for whom a transcript has been approved.
- ⑩** Counsel may not use "condensed" transcript (wherein several pages of transcript appear on a single sheet) in preparing the joint appendix, and therefore should obtain full-size transcript from the court reporter.